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		ENCLOSURES (check all that apply)				
Fee Trans	smittal Form	Drawing(s)	After Allowance communication to Group			
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Amendme	ent / Reply	Petition	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
Afte	er Final	Petition to Convert to a Provisional Application	Proprietary Information			
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Certified Copy of Priority Document(s)		Remarks				
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under	1 37 OF K 1.32 OF 1.33	·				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm Steven A. Swernofsky Individual name			Reg. No. 33,040			
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Date	8-23-04					

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 2 6 2004

In re Application of: Hitz

Serial No. 10/822,630

Filed:

4/12/2004

For:

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Art Unit: 2171

Examiner: NYA

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Honorable Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This	Information Disclosure Statement is submitted under:
$\boxtimes$	37 CFR 1.97(b) (Within three months of the national application filing or the entry of international application, OR before the mailing date of first Office Action, whichever occurs last.)
	37 CFR 1.97(c) together with either a:
	Statement under 37 CFR 1.97(e)
<u>or</u>	\$180.00 fee set forth in 37 CFR 1.17(p)
	(After the CFR 1.97(b) time period, but before final Office Action or Notice of Allowance whichever occurs first.)
	37 CFR 1.97(d) together with a:
	☐ Statement under 37 CFR 1.97(e)
and	\$180.00 fee set forth in 37 CFR 1.17(p)
	(After the CFR 1.97(c) time period, but before payment of the Issue fee.)

## List of Documents

Applicant(s) submits herewith:						
Form PTO SB/08A (Information Disclosure Statement by Applicant) listing patent document(s) of which applicant(s) believes might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.						
Form PTO SB/08B (Information Disclosure Statement by Applicant) listing non-patent document(s) of which applicant(s) believes might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.						
Copies of Documents						
Applicant(s) submits herewith copies of <u>all</u> listed documents.						
Copies of the listed documents are not included with this filing. Copies of these documents were previously submitted in the following related application:						
Docket No.: Serial No.: Filed:						
THE EXAMINER IS ENCOURAGED AND EXHORTED TO MAKE HIS OR HER OWN INDEPENDENT EVALUATION OF POSSIBLE RELEVANCE OF THE LISTED DOCUMENTS.						
At the present time, Applicant(s) submits that the listed document(s), taken alone or in combination, neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.						
In the event fees are required, authorization is hereby granted to charge these fees to Deposit Account No. 50-0365.						
It is requested that the information disclosed herein be made of record in this application.						
Respectfully submitted,  Steven A. Swernofsky  Reg. No. 33,040						
Swernofsky Law Group						

Swernofsky Law Group P.O. Box 390013 Mountain View, CA 94039-0013 (650) 947-0700

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			AUG 2 6 2004 .	Application Number	10/822,630
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				Group Art Unit	2171
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Sheet	1	of	1	Attorney Docket Number	103.1002.13

				U.S. PATENT DOCUM	ENTS	
Examiner	Cite No <sup>1</sup>	U.S. Patent Document  Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	5,182,805	A	Campbell	01-26-1993	
	2	5,649,152	Α	Ohran et al.	07-15-1997	
	3	5,873,098	Α	Bamford et al.	02-16-1999	
	4	6,434,681	B1	Armangau	08-13-2002	
	5	2002/0083037	A1	Lewis et al.	06-27-2002	
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FOREIGN PATENT DOCUMENTS								
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Initials*	No <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	(if known)	Cited Document	MM-DD-YYYY	Figures Appear	T⁰
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'Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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